

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. VI-01-A-6

IN RE:

ADMINISTRATIVE PROCEDURES
FOR PROCESSING ANIMAL CARE
VIOLATIONS WITHIN THE PARKING
DIVISION OF THE COUNTY COURT

In accordance with the authority vested in the Chief Judge by Rule 2.050 of the Florida Rules of Judicial Administration; and

WHEREAS, the Broward County Animal Care and Regulation Division (Animal Care Division) issues every month numerous citations in accordance with Section 4-28 of the Broward County Animal Care and Regulation Ordinance ("Ordinance"), seventy-five (75) percent of which are historically not prosecuted as authorized by Section 125.69, Florida Statutes; and

WHEREAS, Section 125.69, Florida Statutes, authorizes the prosecution of animal care violations in County Court in the same manner as misdemeanors; and

WHEREAS, Section 8½-12 of the Broward County Code of Ordinances creates the position of Hearing Officer to adjudicate violations of the Ordinance and other codes in effect within unincorporated Broward County; and

WHEREAS, it is imperative to process citations issued by the Animal Care Division effectively and to collect unpaid fines; it is

ORDERED that:

1. Citations issued by Animal Care Division officers shall be processed in the Parking Division of the County Court and heard by Animal Care Division hearing officers pursuant to Section 125.69, Florida Statutes and Section 4- 28, Broward County Animal Care and Regulation Ordinance. Citation numbers for animal care violations shall begin with the letters "AN."

2. All citations issued by Animal Care Division officers shall include the following information:
 - a. The date and time of issuance
 - b. The name and address of the person in violation
 - c. The date of violation
 - d. The section of the Ordinance violated
 - e. The name of the officer/code inspector
 - f. The date and time when the violator shall appear in court.
3. The Clerk shall process citations and accept payments for violation of the Ordinance upon the effective date of this Order.
4. The Clerk shall collect animal care violation fines, proof of rabies vaccination, and proof of license tag Monday through Friday, 9:00 a.m. to 4:00 p.m. The Clerk shall accept payment even if no proof of vaccination and/or license is provided. The Clerk shall also accept payment until the date of a scheduled hearing. However, the violator must attend the scheduled hearing and present proof of payment if payment is made less than forty-eight (48) hours prior to the scheduled hearing.
5. The Animal Care Division shall be responsible for processing and recording liens in the event of nonpayment. The Animal Care Division shall also be responsible for processing lien satisfactions.
6. The Clerk shall collect a \$5.00 surcharge pursuant to Section 828.2 4)(b), Florida Statutes, and a \$7.50 processing fee for every citation processed and/or paid pursuant to Section 37.61, Broward County Administrative Code. The \$7.50 court processing fee shall be collected from each violator whether or not the violator pays the fine or contests the citation.
7. Violators shall have the option of contesting the citation by attending the hearing on the day and time specified on the citation.
8. Violators may also plead “no contest,” which shall not be deemed as an admission or denial of the charges. If a violator submits payment pursuant to a citation and fails to sign the waiver, failure to sign shall be deemed an admission of guilt.
9. The Animal Care Division shall provide staff to assist the hearing officers for all animal care hearings.

10. All hearings shall take place at a courthouse location designated by Administrative Order.
11. The addition of cases under this Order shall not apply to animal care appeals currently processed and heard in the South Satellite Courthouse. Animal care appeals shall be governed by Administrative Order VI-01-A-1.

This Administrative Order shall become effective on the date issued.

DONE AND ORDERED in Chambers in Fort Lauderdale, Broward County, Florida this 9th day of November, 2001.

/s/DALE ROSS
Dale Ross, Chief Judge